



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Mark Salerno

Examiner: Steven B. McAllister

Serial No.: 09/692,578

Group Art Unit: 3627

Filed: October 19, 2000

Confirmation No.: 6508

For: METHOD AND APPARATUS FOR  
MONITORING THE STATUS AND TRANSFER  
OF FOOD PRODUCTS

Docket: 948-5

Dated: August 19, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Date: August 19, 2004

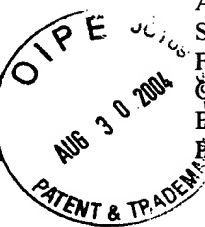
By: Marguerite Franco  
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**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction Requirement in the Office Action mailed June 3, 2004, Applicant provisionally elects, with traverse, Claims 51-65 of Group IV which are drawn to a system for monitoring food status at a location.

Applicant respectfully traverses the present restriction requirement. The invention has been restricted into six groups of claims. The Examiner contends that Claims 1-15 comprise a first group of claims (Invention I) drawn to method of monitoring food status at a storage location, Claims 16-32 comprise a second group (Invention II) drawn to method of monitoring cumulative food status of food moved between a plurality of locations, Claims 33-50 comprise a third group (Invention III) drawn to a method of monitoring cumulative food status and determining and older product, Claims 51-65 comprise a fourth group (Invention IV) drawn to a system for monitoring food status at a location, Claims 66-82 comprise a fifth group (Invention V) drawn to a system for monitoring cumulative food status of food moved between a plurality of locations, and further contends that Claims 83-99 comprise a sixth



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group (Invention VI) drawn to a system for monitoring cumulative food status and determining an older product.

Basically, the Examiner contends that the methods and systems of the six groups of claims are related only as a combination and sub-combination, or as a process and apparatus, or just as sub-combinations.

It is respectfully urged that the inventions defined by the claims in each group are so related that they should all be included in a single patent. The invention defined by the claims of each of the six groups of claims relates to monitoring the status of food in, preferably, a fast food restaurant. Thus, all of the claim groups are directed to the same subject matter. Accordingly, Claims 1-99 define subject matter which are so interrelated and specific to one another that they should be examined together and included in a single patent.

In view of the foregoing remarks, withdrawal of the restriction requirement and consideration on the merits of Claims 1-99 or, if the restriction requirement is maintained, consideration of the provisionally elected claims (Claims 51-65), is respectfully solicited.

Respectfully submitted,

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